



CNR: KAHC010526862022

NC: 2026:KHC:42861
W.P. No.22749/2022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 12TH DAY OF AUGUST, 2026
BEFORE
THE HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL
WRIT PETITION NO.22749/2022 (GM-CPC)

BETWEEN:

1. MR. RAGHAVA REDDY
AGED ABOUT 55 YEARS
S/O S.C. SOMA REDDY
CIVIL ENGINEERING AND
CIVIL CONTRACTOR
NO.238, 6TH MAIN, 10TH CROSS
OFFICIAL COLONY, BYRASANDRA
JAYANAGAR, BANGALORE 560 011.
2. SRI. M.I. MOHAMMED HANEEF
AGED ABOUT 62 YEARS
S/O LATE M.I. ISMAIL
R/O NO.95, 1ST MAIN
4TH CROSS, R.B.I. EXTENSION
3RD BLOCK, JAYANAGAR EAST
BANGALORE 560011.

...PETITIONERS

(BY SRI. MOHD. USMAN SHAIKA, ADV., FOR
SRI. NARAYANA BHAT M, ADV.,)

AND:

SRI. M.G. NAZAR PASHA
S/O MR. K. MOHAMMED GHOUSE
R/O 3/6-8, 3RD CROSS, 17TH MAIN
KORAMANGALA 2ND BLOCK (MADIWALA)
BANGALORE 560 068.

Digitally signed
by RUPA V

Location:
HIGH COURT
OF
KARNATAKA



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RIYADH POSTAL ADDRESS:

P.B. 340294, U.M.A.L HAMMAM
RIYADH, K.S.A 11333
AND ALSO AT
618, UPC, AKHARIA-2
OLYYA ROD, RIYADH, K.S.A
PH 00966503418760.

...RESPONDENT

(BY SRI. SHREESHAIL TURKANI, ADV.,)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO SET ASIDE THE ORDER DATED 03.04.2019 PRODUCED AT ANNEXURE-E PASSED BY THE HON'BLE XXIX ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, BANGALORE IN O.S.NO.9305/2013, ON I.A. NO VII FILED UNDER ORDER VI RULE 17 OF THE CODE OF CIVIL PROCEDURE, AS THE SAME IS ERRONEOUS IN THE INTEREST OF JUSTICE & ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



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CORAM: HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

ORAL ORDER

This writ petition is filed challenging the order dated 03.04.2019 passed on I.A.No.7 in O.S.No.9305/2013 by the XXIX Additional City Civil Judge, Bengaluru (for short, ***'the trial Court'***).

2. The petitioners-plaintiffs had filed a suit in O.S.No.9305/2013 against the respondent-defendant for recovery of a sum of ₹14,99,903.28 with interest at the rate of 12% per annum. In the said suit, the defendant appeared and filed the written statement. The parties adduced the evidence. Thereafter, the plaintiffs filed an application in I.A.No.7 under Order VI Rule 17 read with Section 151 of the Code of Civil Procedure, 1908, (for short, ***'the CPC'***) seeking to amend the plaint by incorporating additional pleading in the end of paragraph No.16 of the plaint. The said application was duly considered by the trial Court and rejected the same.



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3. It is to be noticed that the plaintiffs are contending that the defendant came to the Architect's office and gave a letter to one Mr.Prabhakar S.V. by which he has acknowledged the liability and rate of interest. It is to be noticed that the said letter is already placed before the trial Court and the said Prabhakar S.V. is examined by the plaintiffs. The proposed pleading sought is admittedly when the matter is posted for final arguments in the suit and considering the said aspect, the trial Court has rejected the said application. I do not find any error or perversity in the order of the trial Court calling for interference in view of the fact that the said letter is already placed before the Court in the form of evidence. Hence, the writ petition is devoid of merits and the same is ***rejected.***

No orders as to costs.

Sd/-
(VIJAYKUMAR A. PATIL)
JUDGE